

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

KEITH L. NASH,

Plaintiff,

v.

DOUG WADDINGTON *et al.*,

Defendants.

Case No. C04-5161FDB

ORDER ADOPTING
REPORT AND
RECOMMENDATION

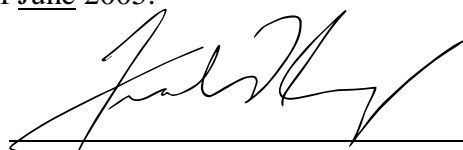
Plaintiff moved for a temporary restraining order and a preliminary injunction in this civil rights action complaining about procedures and rules at the Stafford Creek Corrections Center, which he contends impede his access to the Courts. The Magistrate Judge recommends denial of injunctive relief; the fact that plaintiff must follow rules to obtain access to court does not entitled plaintiff to relief and does not show retaliation. Plaintiff has filed objections wherein he restates his contentions. The Court, however, is not persuaded by Plaintiff's argument.

Additionally, Plaintiff moves for appointment of counsel. The circumstances of this case do not warrant appointment of counsel for Plaintiff: there are no exceptional circumstances and the issues are not difficult to articulate. Accordingly, appointment of counsel is denied.

1 The Court, having reviewed plaintiff's motion for injunctive relief, the complaint, the Report
2 and Recommendation of Magistrate Judge Karen L. Strombom, objections to the Report and
3 Recommendation, and the remaining record, does hereby find and ORDER:

- 4 (1) The Court adopts the Report and Recommendation;
- 5 (2) Plaintiff shows no injury and does not fulfill either test for injunctive relief. The
6 motion is **DENIED**.
- 7 (3) The Clerk is directed to send copies of this Order to plaintiff, counsel defendants, and
8 to the Hon. Karen L. Strombom.

DATED this 6th day of June 2005.

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11 FRANKLIN D. BURGESS
12 UNITED STATES DISTRICT JUDGE
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